

Date: 10/14/20	Ord. 2020-40
Name of preparer: Gene Garate	
Contact information of preparer: zoningadministrator@virgin.utah.gov	
Reason for change:	
<p>Ordinance is contrary to, and in conflict with the following State Codes –</p> <ul style="list-style-type: none"> *57-1-45 Boundary Line Agreements *10-9a-523 Parcel Boundary Adjustment *10-9a-524 Boundary Line Agreement 	
Current wording:	
<p>BOUNDARY ADJUSTMENT REVIEW PROCESS.</p> <ol style="list-style-type: none"> 1. Any adjustment to a boundary between two parcels which does not qualify as a subdivision shall be reviewed by the Virgin Town Zoning Administrator for compliance with VULU ordinances and approved or denied by the Planning and Zoning Commission. 2. Application for a boundary adjustment that needs to come before the Land Use Authority shall be submitted at least ten (10) days prior to a regular Planning and Zoning Commission meeting at which it may be heard, and accompanied by a concept plan which includes: <ol style="list-style-type: none"> 1. parcel sizes, 2. current ownership of each parcel and all contiguous parcels, 3. current zoning of each parcel and all contiguous parcels, 4. any agreement to be recorded. 	
Proposed wording:	
<p>BOUNDARY OR PARCEL ADJUSTMENT REVIEW PROCESS.</p> <ol style="list-style-type: none"> 1. Any adjustment to a boundary between two parcels which does not qualify as a subdivision shall be reviewed by the Virgin Town Zoning Administrator for compliance with VULU ordinances and approved or denied by the Planning and Zoning Commission. 2. Application for a boundary adjustment that needs to come before the Land Use Authority shall be submitted at least ten (10) days prior to a regular Planning and Zoning Commission meeting at which it may be heard, and accompanied by a concept plan which includes: <ol style="list-style-type: none"> 0. parcel sizes, 0. current ownership of each parcel and all contiguous parcels, 0. current zoning of each parcel and all contiguous parcels, 0. any agreement to be recorded. <u>7-1. Boundary Line and/or Parcel Boundary Adjustments are not subject to municipal overview, public notice or public hearings but are regulated by Utah State Codes; 57-1-45, 10-9a-523, and 10-9a-524.</u> 	

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VIRGIN TOWN

ORDINANCE # 2020-40

AN ORDINANCE AMENDING CHAPTER EIGHTEEN OF THE VIRGIN UNIFORM LAND USE ORDINANCES (“VULU”).

RECITALS

WHEREAS, - Utah Code provides for the adoption and amendment of Town land use ordinances by the Land Use Authority, which in Virgin is the “Town Council with recommendation by the Planning and Zoning Commission” ; and

WHEREAS, the Virgin Land Use Authority finds that the existing Virgin Town Code (VULU) Chapter Eighteen, and the various sub sections found within, require updating to meet the changing needs of the town; and

WHEREAS, the Virgin Land Use Authority finds that, to accommodate the towns desire to provide clarity and continuity within VULU; and

WHEREAS, the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on October 14, 2020, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on October 28, 2020;

NOW, THEREFORE BE IT ORDAINED by the Land Use Authority of Virgin, Utah that, in order to provide for the health, safety and general welfare of the citizens of Virgin, Utah, the VULU Ordinance is hereby amended to incorporate the following changes:

ORDINANCE

NOW THEREFORE be it ordained by Virgin Town, Washington County, State of Utah, acting by and through the Town Council:

BOUNDARY OR PARCEL ADJUSTMENT

1. Boundary Line and/or Parcel Boundary Adjustments are not subject to municipal overview, public notice or public hearings but are regulated by Utah State Codes; 57-1-45, 10-9a-523, and 10-9a-524.

1. Severability. If any section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

2. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

3. Effective Date. This Ordinance shall become effective immediately upon adoption by the Virgin Town Council and execution by the Virgin Town Mayor.

ADOPTED AND APPROVED BY THE VIRGIN TOWN COUNCIL ORDINANCE # 2020-40 will become effective on this ___ day of _____, 2020 based upon the following vote:

Council Member:

Gene Garate	AYE ___	NAE ___
LeRoy Thompson	AYE ___	NAE ___
Kevin Stout	AYE ___	NAE ___
Jay Lee	AYE ___	NAE ___
Matthew Spendlove, Mayor	AYE ___	NAE ___

VIRGIN TOWN

a Utah municipal corporation

Matthew Spendlove, Mayor

ATTEST:

Monica Bowcutt, Town Clerk

